

RESOLUTION NO. 05-090

Adopted by the Sacramento Area Flood Control Agency

**AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE OPERATION AND
MAINTENANCE AGREEMENTS FOR BANK PROTECTION PROJECTS ALONG
THE SACRAMENTO RIVER EAST LEVEE**

WHEREAS, under the authority of the Sacramento River Bank Protection Project, the U. S. Army Corps of Engineers (Corps) and the Reclamation Board of the State of California (Reclamation Board) are in the process of designing and constructing bank protection improvements at several critical erosion sites covering about 6,000 linear feet along the east bank of the Sacramento River in the vicinity of Miller Park and the Pocket area; and

WHEREAS, these improvements rely on engineered rock and related "hard" features to prevent further erosion, and incorporate woody material and vegetative plantings to offset impacts to fish and aquatic habitat; and

WHEREAS, pursuant to the requirements of the Sacramento River Bank Protection Project, a local entity must provide assurances that the constructed improvements will be appropriately operated and maintained; and

WHEREAS, in connection with a similar program of bank protection improvements covering over 10,000 linear feet on both banks of the Lower American River, SAFCA provided the required assurances; and

WHEREAS, this commitment was made with the understanding that through a subsequent agreement with the American River Flood Control District (ARFCD), ARFCD would take responsibility for maintaining the engineered rock and other "hard" features of the work, leaving SAFCA with responsibility for maintaining all of the onsite and off-site environmental enhancements included in the work.

NOW THEREFORE BE IT RESOLVED BY THE SACRAMENTO AREA FLOOD CONTROL AGENCY BOARD OF DIRECTORS THAT:

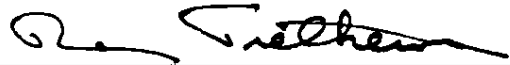
1. The Executive Director is hereby authorized to enter into an operation and maintenance agreement with the Reclamation Board of the State of California, substantially in the form of the agreement attached hereto as Exhibit A, accepting responsibility for operating and maintaining constructed bank protection improvements along the east bank of the Sacramento River as identified in the attached agreement.
2. The Executive Director is further authorized to enter into appropriate operation and maintenance agreements with the City of Sacramento and State Maintenance Area 9 delegating responsibility to these entities for operating and maintaining the engineered rock and related "hard" features of the constructed bank protection

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improvements located along the portions of the Sacramento River east levee that these entities are responsible for maintaining.

ON A MOTION BY Director Cohn, seconded by Director Moose, the foregoing resolution was passed and adopted by the Board of Directors of the Sacramento Area Flood Control Agency, this 15th day of December 2005, by the following vote, to wit:


AYES: Directors: Christophel, Cohn, Dickinson, Fargo, Keller, Macdonald,
MacGlashan, Miller, Moose, Nottoli, Schmidt, Tretheway
NOES: Directors:
ABSTAIN: Directors:
ABSENT: Directors: Collin



Chair of the Board of Directors of the
Sacramento Area Flood Control Agency

(SEAL)

ATTEST:


Deputy Clerk of the Board of Directors